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DEPARTMENT FOR AF/C, DRL AND HR/OE

E.O. 12958: DECL: 04/28/2016
TAGS: [AFSN](#) [KDEM](#) [KJUS](#) [PHUM](#) [PREL](#) [RW](#)
SUBJECT: FORMER PRESIDENT ASKS KAGAME FOR A PARDON

REF: A. KIGALI 168
[B](#). 02 KIGALI 736

Classified By: Poloff GLearned, reasons 1.4 (b/d)

[1](#)1. (U) Summary. Ex-President Pasteur Bizimungu recently submitted a handwritten letter to President Kagame requesting a pardon for his 2004 conviction for incitement of civil disobedience, formation of a criminal association and embezzlement of public funds. In the letter, Bizimungu maintains that he had no "criminal intentions" and appeals to Kagame to release him due to his poor health and for the "general interests of the Nation". Charles Ntakirutinka, a former Minister and Bizimungu's co-defendant (ref B), also requested a pardon. Although President Kagame has said he would consider a pardon if he was asked by Bizimungu, there has been no official GOR comment and officials have given Emboffs no indication of how this process will proceed. End summary.

[1](#)2. (SBU) Bizimungu and Ntakirutinka, in prison since 2002, lost their final appeal in a Supreme Court hearing on 17 February 2006 (ref A). According to Bizimungu's wife Seraphine and lawyer Jean Bosco Kazungu, the letter was delivered directly to the President's Office by Claude Karara, Director of Kigali Central Prison. Ntakirutinka's pardon request was reportedly delivered the following day and used the same "interests of the nation" rationale. (Note. Embassy's request for a copy of his letter was declined. End note.).

[1](#)3. (C) In a 26 April meeting unrelated to Bizimungu, Ambassador Arietti asked Ambassador Dr. Richard Sezibera, Special Envoy to the Great Lakes Region for the President, if he knew how the pardon request would be handled. Sezibera acknowledged that the President had the authority to grant the pardon but did not know the process and offered no other insight on the issue.

[1](#)4. (U) There will be no immediate decision as President Kagame is currently on a trip to the US and Canada. On 2 April, prior to his departure for the US, on a Radio Rwanda version of "Meet the Press", President Kagame reportedly told an interviewer that he would consider a pardon if Bizimungu asked for one.

[1](#)5. (C) Emboffs have kept in regular contact with Seraphine Bizimungu who has consistently expressed concerns for her husband's health. Both she, and Ntakirutinka's wife Florida, were pessimistic about a pardon. Seraphine said there was no indication that her husband would be released as he is perceived as a vocal political figure. She attributed Kagame's 2 April comment as a way of preempting anticipated criticism during his trip to the US and Canada.

[1](#)6. (C) Comment. Kagame's April 2 comment did not represent a major shift in his position as he has repeatedly said in the

past, both publicly and privately, that he would consider a pardon if Bizimungu were to ask. Embassy will continue to monitor GOR reaction to the clemency appeal. President Kagame is an adept international operator and he recognizes the importance of this issue to donor nations. It appears that he has set the conditions to make the wise move to pardon Bizimungu and Ntakirutinka.

17. (U) A very rough translation of the appeal letter from the Kinyarwanda version follows.

BEGIN TEXT

His Excellency the President of the Republic,

In just concluded court proceedings, I was led by my conscience that showed that I had no criminal intentions, and break the law. The trial is now over.

That's why I am requesting Your Excellency's pardon by lifting the remainder of my sentenced imposed by the court. So that I may be released and receive proper medical care for illnesses that were not treated in prison and so I can collaborate with others in rebuilding Rwanda. It's better that remaining tied in prison, where I have spent more time than the usual time to be eligible for pardon in the general interests of the Nation.

I thank you in advance your Excellency and wish you peace.

//s//

Pasteur Bizimungu

END TEXT
ARIETTI